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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 08-00041 RS
)	
Plaintiff,)	
)	STIPULATION AND [XXXXXXXXXX] IXX
v.)	ORDER EXCLUDING TIME
)	
JOHN HENRY BRUNO,)	
)	
Defendant.)	SAN JOSE VENUE
)	

On May 15, 2008, the parties in the above-captioned case appeared before the Court for a status hearing. Assistant Federal Public Defender Nicholas P. Humy explained to the Court the history of the case, including the defendant's personal circumstances that resulted in the issuance of a bench warrant. The warrant has since been vacated. The parties then jointly requested that a change of plea hearing be scheduled before the Honorable Judge Seeborg on June 19, 2008 at 9:30 a.m. Assistant United States Attorney Susan Knight requested an exclusion of time under the Speedy Trial Act from May 15, 2008 through June 19, 2008. The undersigned parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective

1 preparation of counsel.

2 SO STIPULATED:

JOSEPH P. RUSSONIELLO
United States Attorney

4 DATED: 5/15/08

/s/
SUSAN KNIGHT
Assistant United States Attorney

6 DATED: 5/15/08

/s/
NICHOLAS P. HUMY
Assistant Federal Public Defender

10 Accordingly, for good cause shown, the Court HEREBY ORDERS that time be excluded
11 under the Speedy Trial Act from May 15, 2008 to June 19, 2008. The Court finds, based on the
12 aforementioned reasons, that the ends of justice served by granting the requested continuance
13 outweigh the best interest of the public and the defendant in a speedy trial. The failure to grant
14 the requested continuance would deny defense counsel reasonable time necessary for effective
15 preparation, taking into account the exercise of due diligence, and would result in a miscarriage
16 of justice. The Court therefore concludes that this exclusion of time should be made under 18
17 U.S.C. §§ 3161(h)(8)(A) and (B)(iv).

18 SO ORDERED.

20 DATED: May 16, 2008


PATRICIA V. TRUMBULL
United States Magistrate Judge